

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:05CR106
)	
v.)	
)	
MARIANO CORDERO-JUAREZ,)	ORDER
)	
Defendants.)	
_____)	

Before the court is the report and recommendation of United States Magistrate Judge Thomas D. Thalken, Filing No. 58, and transcript of the hearing held on May 23, 2005. No objection has been filed to the report and recommendation. Pursuant to NECrimR 57.3 and 28 U.S.C. § 636(b)(1)(C), the court has conducted a de novo review of the record and adopts the report and recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The report and recommendation, Filing No. 58, is adopted in its entirety;
2. The defendant's motion to dismiss the indictment as to this defendant, Filing No. 49, is granted.

DATED this 20th day of June, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON
United States District Judge